

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-02124

DEC 11 1998

COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He receive Special Selection Board (SSB) consideration for promotion to the grade of major for the Calendar Year (CY) 1998B major central selection board with inclusion of the Meritorious Service Medal (MSM) awarded in April 1998 on his officer selection brief (OSB). He also requests removal of an MSM citation erroneously filed in his OSR.

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APPLICANT CONTENDS THAT:

The decoration section of the OSB does not reflect the MSM he was awarded early in 1998. Also, there is an erroneous MSM citation for the time he was an ROTC instructor. [REDACTED] commander submitted an MSM, but it was downgraded to a commendation medal. The ROTC MSM citation needs to be removed. [REDACTED] believes the OSB omission and the erroneous MSM caused his records to be downgraded and his nonselection.

Applicant's complete submission is attached at Exhibit A.

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STATEMENT OF FACTS:

The applicant is currently serving on extended active duty in the grade of captain.

The applicant was considered and not selected for promotion to the grade of major by the CY97C and CY98B boards. He has an involuntary date of separation of 31 December 1998.

OPR profile since 1991, follows:

PERIOD ENDING

EVALUATION OF POTENTIAL

31 Aug 91

Meets Standards

30 Apr 92

Meets Standards

1 May 92

Education/Training Report

30 Apr 93	Meets Standards
30 Apr 94	Meets Standards
30 Apr 95	Meets Standards
30 Apr 96	Meets Standards
30 Apr 97	Meets Standards
6 Jan 98	Meets Standards

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AIR FORCE EVALUATION:

The Chief, Appeals and SSB Branch, AFPC/DPPPA, reviewed the application and states that they agree that a citation for an MSM downgraded to an AFCM was erroneously filed when his records met the CY97C central selection board in June 1997; in fact, it was filed 26 February 1997. The order for the AFCM (1OLC) is dated 7 June 1995, but the citation was not filed in his OSR until 30 March 1998. They find it interesting the applicant did not request removal of the erroneous MSM citation last year after his first nonselection. They removed the erroneous MSM citation on 10 August 1998.

In regards to the applicant contending that the MSM that he was awarded in March 1998 was not properly reflected on his 1998 OSB when he was considered for promotion in April 1998; it's pointed out that the citation for the decoration was filed in [REDACTED] OSR on 30 March 1998, seven days prior to the board. It's also pointed out that they found the central selection board record identification number annotated in the upper right hand corner of the citation indicating it was considered by the CY98B board. Since the board was aware the MSM existed, they are convinced they factored it into their promotion assessment of the applicant.

The officer preselection brief (OPB) is sent to each eligible officer several months prior to a selection board. The OPB contains data that will appear on the OSB at the central board. Written instructions attached to the OPB and given to the officer before the central selection board specifically instruct him/her to carefully examine the brief for completeness and accuracy. If any errors are found, he/she must take corrective action prior to the selection board, not after it. The instructions specifically state, "Officers will not be considered by a Special Selection Board if, in exercising reasonable diligence, the officer should have discovered the error or omission in his/her records and could have taken timely corrective action". In this case, the applicant has not demonstrated he made any attempt until now, after he has been nonselected a second time, to correct his record.

They further state that there is no clear evidence that the additional MSM citation filed in his OSR or the absence of the MSM on this OSB negatively impacted his promotion opportunity. Central boards evaluate the entire OSR...assessing whole-person

factors. Furthermore, the selection has his entire officer selection record that clearly outlines his accomplishments since the date he came on active duty. They are not convinced the additional MSM citation filed in his OSR or the omission of the most recent MSM from his OSB caused the applicant's nonselection. Therefore, they recommend denial of applicant's request.

A complete copy of the evaluation is attached at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 31 Aug 98, a complete copy of the Air Force evaluation was forwarded to the applicant for review and response within 30 days. As of this date, no response has been received by this office.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force and adopt their rationale as the basis for the conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend granting the relief sought in this application.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered this application in Executive Session on 29 October 1998, under the provisions of AFI 36-2603:

Mr. Vaughn E. Schlunz, Panel Chair  
Mr. Loren S. Perlstein, Member  
Mr. Terry A. Yonkers, Member  
Ms. Phyllis L. Spence, Examiner (without vote)

The following documentary evidence was considered:

Exhibit A. DD Form **149**, dated 23 Jul **98**.  
Exhibit B. Applicant's Master Personnel Records.  
Exhibit C. Letter, AFPC/DPPPA, dated 12 Aug **98**.  
Exhibit D. Letter, AFBCMR, dated 31 Aug **98**.

  
VAUGHN E. SCHLUNZ  
Panel Chair



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE PERSONNEL CENTER  
RANDOLPH AIR FORCE BASE TEXAS

12 AUG 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPPA  
550 C Street West, Suite 8  
Randolph AFB TX 78150-4710

SUBJECT: [REDACTED]

Requested Action. The applicant requests special selection board (SSB) consideration by the CY98B (6 Apr 98) [REDACTED] major central selection board with inclusion of the Meritorious Service Medal (MSM) awarded in Apr 98 on his officer selection brief (OSB). He also requests removal of an MSM citation erroneously filed in his OSR.

Basis for Request. The applicant attributes his nonselection to the omission of his most recent MSM on his OSB and the erroneously filed MSM citation in his OSR.

Recommendation. Deny.

Facts and Comments:

a. The application is timely. Application under AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports, would not be appropriate since the contested issue is not within the purview of that directive. The applicant has two nonselections to the grade of major by the CY97C (16 Jun 97) [REDACTED] and [REDACTED] boards. As a result, the applicant has an involuntary date of separation of 31 Dec 98.

b. AFI 36-2803, The Air Force Awards and Decorations Program, 1 Jan 98, is the governing directive.

c. In support of his appeal, the applicant includes a copy of the [REDACTED] OSB; a copy of the orders and citations for the Air Force Commendation Medal (AFCM) and AFCM 1<sup>st</sup> Oak Leaf Cluster (1OLC), and MSM.

d. The applicant contends a citation for an MSM, downgraded to an AFCM, was erroneously filed in his OSR when he was considered for promotion by the [REDACTED] board. We agree. It was also erroneously filed when his records met the [REDACTED] central selection board in Jun 97; in fact, it was filed 26 Feb 97. The order for the AFCM (1OLC) is dated 7 Jun 95, but the citation was not filed in his OSR until 30 Mar 98. We find it interesting the applicant did not request removal of the erroneous MSM citation last year after his first nonselection. We removed the erroneous MSM citation on 10 Aug 98.

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e. The applicant was awarded an MSM in Mar 98 and contends it was not properly reflected on his [REDACTED] OSB when he was considered for promotion in April 98. However, the citation for the decoration was filed in his OSR 30 Mar 98, seven days prior to the [REDACTED] board. We also find the central selection board record identification number annotated in the upper right hand corner of the citation indicating it was considered by the [REDACTED] board. Since the board was aware the MSM existed, we are convinced they factored it into their promotion assessment of the applicant.

f. The officer preselection brief (OPB) is sent to each eligible officer several months prior to a selection board. The OPB contains data that will appear on the OSB at the central board. Written instructions attached to the OPB and given to the officer before the central selection board specifically instruct him/her to carefully examine the brief for completeness and accuracy. If any errors are found, he/she must take corrective action prior to the selection board, not after it. The instructions specifically state, "**Officers will not be considered by a Special Selection Board if, in exercising reasonable diligence, the officer should have discovered the error or omission in his/her records and could have taken timely corrective action**" (emphasis added). The applicant has not demonstrated he made any attempt until now, after he has been nonselected a second time, to correct his record.

g. There is no clear evidence that the additional MSM citation filed in his OSR or the absence of the MSM on his OSB negatively impacted his promotion opportunity. If anything, the inclusion of the erroneous MSM would have been to his benefit on both the [REDACTED] and the [REDACTED] boards. Central boards evaluate the entire OSR (including the promotion recommendation form, officer performance reports, officer effectiveness reports, training reports, letters of evaluation, decorations, and officer selection brief), assessing whole person factors such as job performance, professional qualities, depth and breadth of experience, leadership, and academic and professional military education. The selection board had his entire officer selection record that clearly outlines his accomplishments since the date he came on active duty. We are not convinced the additional MSM citation filed in his OSR or the omission of the most recent MSM from his OSB caused the applicant's nonselection. We, therefore, are strongly opposed to the applicant receiving **SSB** consideration on this issue.

Summary. Based on the evidence provided, our recommendation of denial is appropriate.

[REDACTED], USAF  
Chief, Appeals and SSB Branch  
Directorate of Personnel Program Mgt

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